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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/708,927	11/08/2000	Paul F. Hanchett	NETA AP003	2980

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EXAMINER

NGUYEN, HAI V

ART UNIT PAPER NUMBER

2142

DATE MAILED: 05/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

BEST AVAILABLE COPY

Office Action Summary

Application N .

09/708,927

Applicant(s)

HANCHETT, PAUL F.

Examiner

Hai V. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7,8,10-13,15-17,19-22 and 24-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7,8,10-13,15-17,19-22 and 24-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. This Office Action is in response to the communication received on 11 March 2004.
2. Claims 2, 6, 9, 14, 18, 23 are cancelled.
3. Claims 26-30 are new.
4. Claims 1, 3-5, 7-8, 10-13, 15-17, 19-22, 24-30 are presented for examination.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 3-5, 7-8, 10-13, 15-17, 19-22, 24-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Sonderegger** et al. U.S. patent no. **5,859,978** in view of **Olds** U.S. patent no. **5,878,415** and further in view of **Lawing** et al. **US 2002/0112150 A1**.

7. As to claim 1, Sonderegger, Managing Application Programs In A Computer Network By Using A Database Of Application Objects, discloses a system for management of a network of devices (*Fig. 2, items 42, 44*) and resources (*applications*) available to the devices via a computer network, comprising:

a network directory (*Fig. 2, item 10*) defining a hierarchical tree structure containing nodes corresponding to the network of devices and defining control settings (*control*

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properties) corresponding to and to be enforced upon the resources available to the devices (*col. 3, lines 23-31*);

a directory server (*Fig. 2, items 24, 26*) in communication with the network directory to facilitate accessing data from and storing data to the network directory, the data relating to the nodes of the hierarchical tree structure corresponding to the devices and to the control settings corresponding to the resources (*col. 5, lines 15- 50; col. 6, line 37 – col. 7, line 48*); and

an end node (*Fig. 2, items 42, 44*) corresponding to each device in the network of devices and resources corresponding to the device, the end node being in communication with the directory server and the resources corresponding to the device, the end node being adapted to enforce the control settings corresponding to the resources contained in the network directory (*the launcher automatically launches specified "auto start" applications when a user runs the launcher, col. 3, lines 23-44*),

However, Sonderegger does not explicitly disclose the step of wherein the control settings corresponding to the resources of each device are selectively inherited down the hierarchical tree structure of the network directory and wherein the control settings are determined at each end node. Thus, the artisan would have been motivated to look into the related networking arts for potential methods and apparatus for implementing the control settings or configuration data (or parameters) selective inheritably down the hierarchical tree structure of the network directory at the node and wherein the control settings are determined at each end node.

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In the same field of endeavor, Olds, Controlling Access To objects In A Hierarchal Database, discloses that *in Fig. 2, during the selection step 42, an ancestor object is selected, the ancestor object is a hierarchical ancestor of the target object. In those cases where the target choosing step 40, chooses several objects in a subtree, the ancestor object is typically either the root of the subtree or a near ancestor of the root object... During a reading step 46, one or more access control values in an access control property of the ancestor object are read. The values are then used during a propagating step 48, which propagates the inheritable access constraint by applying it to at least the target object (col. 7, lines 7-65).*

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Olds' teachings of the selection of control settings inheritably in the hierarchical tree structure (*Olds, Abstract, col. 4, line 33 – col. 5, line 33*) with the teachings of Sonderegger, for the *purpose of effectively granting limited rights to a specialized administrators in a hierarchical database and extending compatibility of existing systems (Olds, col. 4, lines 21-23; col. 9, lines 36-47).* Sonderegger-Olds discloses wherein a management console in communication with the network directory and the directory server for providing a user interface, the management console being adapted to selectively display the hierarchical tree structure and the control settings stored in the network directory (*Sonderegger, Fig. 2, item 10; Olds, Fig. 3, item 10*); However, Sonderegger-Odds does not explicitly disclose the step of wherein at least one control setting is a scheduled task and wherein the end node causes performance of the task when the scheduled task is to be performed, wherein

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the scheduled task is an anti-virus related task. Thus, the artisan would have been motivated to look into the related networking arts for potential methods and apparatus for implementing the control settings or configuration data (or parameters) wherein at least one control setting is a scheduled task and wherein the end node causes performance of the task when the scheduled task is to be performed, wherein the scheduled task is an anti-virus related task.

In the same field of endeavor, Lawing, Method And System For Central Management Of A computer Network, discloses that the login routine can gather system information and create standard directories for a network client. The login routine can then determine the operating system determination, *can perform configuration management, including the installation of default applications, the management of startup files, setting DNS information, setting up consistent desktop configuration, running a virus scan, running monthly maintenance such as a scan disk, turning on system policies, and providing a computer information report* (Lawing, page 1, paragraphs, [0006]-[0008]; page 2, paragraph [0022]; page 3, paragraph [0027]-[0030]; page 4, paragraph [0033]).

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Sonderegger-Olds' teachings with the teachings of Lawing, *for the purpose of allowing the network owners to reduce maintenance and support costs by reducing the need to have technicians physically visit each personal computer associated with the network when software installation, distribution, problem resolution, configuration management and other maintenance functions are needed to be performed* (Lawing, page 2, paragraph [0010]).

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8. As to claim 3, Sonderegger-Olds-Lawing discloses, wherein the end node dynamically calculates the control setting of the selected node by reading the control settings of nodes along a path of nodes from a root of the hierarchical tree structure down to the selected node and wherein the end node overwrites previously written control settings upon reading conflicting control settings at each node along the path of nodes (*Olds, Fig. 2, col. 7, lines 7-50*).

9. As to claim 4, Sonderegger-Olds-Lawing discloses, wherein the end node dynamically calculates the control setting by reading the control settings of the end node up to the control settings of a root of the hierarchical tree structure (*Olds, Fig. 2, col. 7, lines 7-50*).

10. As to claim 5, Sonderegger-Olds-Lawing discloses, wherein each control setting is selected from the group consisting of a configuration rule and a scheduled task (*Olds, Abstract; Fig. 2, col. 7, lines 7-50; Lawing, page 1, paragraphs, [0006]-[0008]; page 2, paragraph [0022]; page 3, paragraph [0027]-[0030]; page 4, paragraph [0033]*).

11. Claim 7 corresponds to the method claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

12. As to claim 8, Sonderegger-Olds-Lawing discloses, further comprising enforcing the control settings by the device upon the resources available to the device (*Sonderegger, col. 3, lines 8-56; Olds, Abstract, col. 4, line 33 – col. 4, line 33*).

13. As to claim 10, Sonderegger-Olds-Lawing discloses, further comprising dynamically calculating the control settings of a selected node of the hierarchical tree

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structure by the device (*Sonderegger, col. 3, lines 8-56; Olds, Abstract, Fig. 2, col. 7, lines 7-50*).

14. As to claim 11, Sonderegger-Olds-Lawing discloses, wherein the dynamic calculating includes reading, control settings of nodes along a path of nodes from a root of the hierarchical tree structure down to the selected node and overwriting previously written control settings, upon reading conflicting control settings at each node along the path of nodes (*Sonderegger, col. 3, lines 8-56; Olds, Abstract, Fig. 2, col. 7, lines 7-50*).

15. As to claim 12, Sonderegger-Olds-Lawing discloses, wherein the dynamic calculating includes reading control settings of nodes along a path of nodes from the control setting of the selected node up to the control settings of a root of the hierarchical tree structure (*Sonderegger, col. 3, lines 8-56; Olds, Abstract, Fig. 2, col. 7, lines 7-50*).

16. As to claim 13, Sonderegger-Olds-Lawing discloses, wherein each control setting includes a configuration rule and the scheduled task (*Sonderegger, col. 3, lines 8-56; Olds, Abstract, Fig. 2, col. 7, lines 7-50; Lawing, page 1, paragraphs, [0006]-[0008]; page 2, paragraph [0022]; page 3, paragraph [0027]-[0030]; page 4, paragraph [0033]*).

17. As to claim 15, Sonderegger-Olds-Lawing discloses, further comprising selectively transmitting data from a software repository of the directory server to the device (*Sonderegger, col. 3, lines 8-56; Olds, Abstract, Fig. 2, col. 7, lines 7-50*).

18. Claim 16 corresponds to the computer program product claim of claim 7; therefore, it is rejected under the same rationale as above in claim 7.

19. Claims 17, 19-22, 24 are similar limitations of claims 8, 10-13, 15; therefore, they are rejected under the same rationale as in claims 8, 10-13, 15 above.

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20. Claim 25 corresponds to the computer program product claim of claim 1; therefore, it is rejected under the same rationale as above in claim 1.

21. As to claim 26, Sonderegger-Olds-Lawing discloses, wherein broad control settings are set higher in the tree while lower level control settings are set at a level of one of the devices (*Lawing, page 1, paragraphs, [0006]-[0008]; page 2, paragraph [0022]; page 3, paragraph [0027]-[0032]; page 4, paragraph [0033]*).

22. As to claim 27, Sonderegger-Olds-Lawing discloses, wherein the broad control settings require the scanning of all executable files for virus, cleaning of the files if possible, and sending infection reports to a network administrator (*Lawing, page 1, paragraphs, [0006]-[0008]; page 2, paragraph [0022]; page 3, paragraph [0027]-[0032]; page 4, paragraph [0033]*).

23. As to claim 28, Sonderegger-Olds-Lawing discloses, wherein a mid-level control setting is set to report all infections to a local administrator (*Lawing, page 1, paragraphs, [0006]-[0008]; page 2, paragraph [0022]; page 3, paragraph [0027]-[0032]; page 4, paragraph [0033]*).

24. As to claim 29, Sonderegger-Olds-Lawing discloses, wherein the lower level settings require the deletion of infected files of said one of the devices (*Lawing, page 1, paragraphs, [0006]-[0008]; page 2, paragraph [0022]; page 3, paragraph [0027]-[0032]; page 4, paragraph [0033]*).

25. As to claim 30, Sonderegger-Olds-Lawing discloses, further comprising a get policy component that obtains relevant policies, a first cache for caching an output of the get policy component, a calculate policy component that calculates an inheritance to

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a second cache, wherein the information in the first cache is updated based on a time stamping (*Lawing, page 1, paragraphs, [0006]-[0008]; page 2, paragraph [0022]; page 3, paragraph [0027]-[0032]; page 4, paragraph [0033]*).

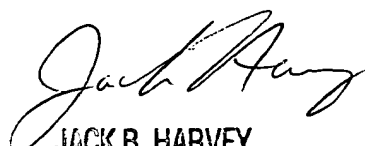
26. Further references of interest are cited on Form PTO-892, which is an attachment to this action.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 703-306-0276. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hai V. Nguyen
Examiner
Art Unit 2142



JACK B. HARVEY
SUPERVISORY PATENT EXAMINER